Software Rights Archive, LLC v. Google Inc. et al
Doc. 58 Att. 4

EXHIBIT C

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FIRM OVERVIEW

Heller Ehrman is a leader in providing innovative legal services to clients throughout the world. With more than 700 attorneys and professionals in 12 cities nationwide and abroad, we offer the full range of litigation, business and intellectual property capabilities needed to succeed in today's competitive marketplace.

Experience

Clients rely on us to address their most important business issues and solve their most challenging problems. Our litigation team handles bet-the-company litigation in key arenas, including antitrust, securities, intellectual property, consumer class action, insurance coverage, employment and environmental law. Our business and transactional attorneys are leaders in corporate securities, M&A, finance, real estate, tax, corporate governance, bankruptcy and a range of regulatory issues. Our intellectual property practice combines a highly reputed patent litigation team with extensive in-house patent and trademark resources.

Industry Knowledge

Our diverse client base includes industry leaders from established multinational companies to entrepreneurial, technology-driven enterprises. Our history of working across specific industry groups – particularly financial services, life sciences, energy, software and electronics, accounting, real estate and hospitality – allows us to partner with clients to meet their business objectives.

Core Values

What distinguishes Heller Ehrman from competitors is not only the quality and breadth of our practice and client base, but also our commitment to certain core values – Excellence, People, Teamwork, Innovation, Community and the idea of “One Firm.” These words, part of the everyday vocabulary at Heller Ehrman, are how we define ourselves and, in very meaningful ways, affect how we relate to one another and how we approach the practice of law. Our core values matter enormously to the people who work at Heller Ehrman, and we believe they matter to our clients.

FIRM PRACTICES

Antitrust & Trade Regulation

For decades, companies have brought their most important antitrust matters to Heller Ehrman. We have successfully represented clients from a wide range of industries in private and government antitrust litigation, in government investigations of cartels and in some of the country's largest mergers. Our antitrust lawyers have extensive experience addressing competition issues in technology industries where antitrust and intellectual property law often intersect, as well as in newly deregulated industries, such as energy.

Appeals & Strategy

Our appellate practice is led by a group of exceptionally talented lawyers, including former federal prosecutors, the founding president of The Brennan Center for Justice, fellows of the American Academy of Appellate Lawyers and the American College of Trial Lawyers, and numerous former appellate clerks. Our lawyers have significant experience before the Supreme Court of the United States, all federal circuit courts of appeal, numerous state appellate and supreme courts, and specialized appellate tribunals. Over the past decade, we have briefed and argued hundreds of appeals in the Supreme Court of the United States, the federal circuit courts of appeal and state courts throughout the country.

Asia

Heller Ehrman's rapid expansion in Asia is the product of a strong and active client base. One of the first U.S. law firms to establish a Hong Kong office in the 1970's, our attorneys have been advising clients for more than 25 years on the business opportunities and challenges presented by China and a significant part of our Asia practice is devoted to this region. Our Beijing office signals our strategic expansion into the People's Republic of China. Our core practice areas in Hong Kong include, capital markets, cross-border mergers and acquisitions, dispute resolution, FCPA / U.S. regulatory investigations / U.S. litigation, foreign direct investment, fund formation and investment, intellectual property and international trade. From Singapore, we serve our clients' needs throughout Southeast Asia in international commercial transactions, U.S.

strategic investment, general corporate representation and dispute resolution. Clients include Western multi-nationals as well as Asian financial institutions, corporations, governments, government controlled entities and trade associations.

Capital Markets

Heller Ehrman's capital markets practice was formed to assist our clients in finding and securing the funding they need to grow and prosper. Drawing upon the extensive resources from our 12 offices in the United States and Asia and leveraging our strong relationships with the venture capital and investment banking communities, our capital markets practice helps raise funding for our clients through public and private offerings of equity, debt and equity-linked securities.

Compensation & Benefits

Heller Ehrman regularly assists clients with the full range of issues involving compensation and benefits for both private and public companies. We draw upon the knowledge and experience of attorneys across practice groups to address matters that arise in the context of compensation design and operation; employment and separation agreement negotiation; executive tax planning; state and federal securities law and tax law compliance with respect to stock options and other equity compensation; merger and acquisition compensation planning and negotiation; and corporate governance with respect to executive and equity compensation.

Consumer & Product Liability

Our nationally recognized litigation practice includes more than three dozen shareholders with extensive experience in consumer litigation defense. Over the last 20 years, changes in the legal environment have led to a sustained increase in the number and variety of legal challenges to the business practices of our clients. Heller Ehrman has successfully resolved claims relating to pricing, fees, advertising, consumer disclosures, product and service issues, warranties, sales and marketing issues, lending and trust issues, as well as many other business practices. Our experience includes handling class action, governmental enforcement, private attorney general and private competitor proceedings.

Corporate Finance

We have extensive experience handling financing and capital markets transactions on behalf of capital sources, lenders and corporate borrowers and issuers. We are active in the areas of commercial finance, private equity and leveraged transactions, real estate finance, project finance, cross-border transactions, bankruptcies and restructurings. Our clients include commercial banks, investment banks and underwriters, private equity funds, pension funds and other financial intermediaries.

Corporate Governance

Heller Ehrman advises on corporate governance and compliance issues for a broad spectrum of public and private companies. Our attorneys routinely advise management, boards, board committees and individual executive officers and directors on compliance with federal securities laws, Delaware and other state corporate laws, and stock exchange and Nasdaq corporate governance rules.

Energy

We have long been at the forefront of major developments affecting energy companies and consumers. We work with clients from all parts of the electric, natural gas and oil sectors. Our experience on behalf of energy clients includes all aspects of federal and state industry regulation, industry restructuring, energy strategy, project development, project finance and commercial transactions.

Environmental Litigation & Counseling

We have handled practically every type of environmental matter – ranging from government and private party litigation, administrative orders and proceedings, and civil and criminal enforcement actions, to permitting, regulatory compliance counseling, and transactional support. We work with clients to find practical, economical solutions to their environmental issues. Our clients include large and small companies engaged in manufacturing, mining, oil refining, hazardous and solid waste management and disposal, real estate and financial services, as well as municipal governments and public ports.

Information Technology

Heller Ehrman is a pioneer in representing technology companies in the telecommunications, computer, multimedia and Internet industries. We help emerging and leading technology companies secure funding, establish strategic alliances, commercialize their products and services through technology licensing and protect their intellectual property rights. The work is often multidisciplinary, drawing on the experience and resources of our offices located in all the important technology centers in the United States and in the key Asian markets of Hong Kong and Singapore.

Insurance Recovery

Heller Ehrman has one of the world's largest, most successful policyholder-side insurance recovery practices. For more than 100 years, we have represented policyholders in litigation and non-litigation insurance disputes, and have provided risk management counseling and insurance advice in the most challenging and important matters. We represent policyholders in virtually all major industries in pursuit of insurance proceeds for their existing and potential liabilities in environmental, toxic tort, life sciences and medical devices, intellectual property, product liability, securities and corporate governance, finance, consumer class action, real estate/construction and employment matters. We have successfully handled scores of first party and business interruption losses arising from natural disasters, terrorist incidents, structural failures and other causes. Our attorneys have set important insurance precedents, and have been involved in many of the world's largest and highest-profile insurance coverage cases. We have obtained billions of dollars in recoveries for our clients in just the last few years.

Intellectual Property Litigation

Heller Ehrman has one of the largest and most successful intellectual property litigation practices in the country. We have an established reputation for high-caliber litigation and trial work involving patents, copyrights, trademarks, licenses and trade secrets. We bring our advocacy skills and technical competence to assist clients across a range of industries, particularly in the fields of semiconductors, non-volatile memory, software, cryptography, computers, secure digital payment, telecommunications, pharmaceuticals, biotechnology and medical devices.

Intellectual Property Transactions

Heller Ehrman's intellectual property attorneys handle litigation and transactions for companies in the information technology, life sciences, defense, telecommunications, electronics, healthcare and publishing industries, among others. We work closely with our clients to counsel them in their strategic IP transactions, the commercialization of their intellectual property, the procurement of technology, data or tools, manufacturing and business process outsourcing.

Labor & Employment

Our attorneys provide management-oriented counseling and litigation services to a broad range of clients, from start-up companies to the nation's largest corporations. While we take pride in our ability to litigate all types of cases, our primary goal is to use our legal knowledge and experience to assist companies and managers in anticipating and preventing employee relations problems through education, training and counseling. We handle discrimination and wrongful discharge litigation and counseling, drafting of personnel policies, employment agreements and affirmative action plans, wage and hour matters, collective bargaining and arbitrations. We represent employers in a variety of matters before the National Labor Relations Board.

Life Sciences & FDA

With more than 100 lawyers and patent professionals, Heller Ehrman has one of the largest and most comprehensive life sciences practices in the United States. For more than 40 years, we have played a pivotal role in the growth and development of today's emerging and established life sciences companies. Our FDA attorneys focus on regulatory, policy, enforcement and product development issues facing life sciences companies. Our practice in biotechnology-derived products is unique, as many of our attorneys have scientific training and have held significant legal positions in federal agencies including the FDA, FTC and Department of Justice.

Mergers & Acquisitions

Heller Ehrman has a nationally recognized mergers and acquisitions practice, representing participants throughout the world in transactions involving the acquisition or sale of business enterprises or their assets. We represent buyers, sellers, investment bankers, private equity firms, boards of directors, special committees and lenders in all types of acquisitions involving publicly traded and privately held corporations. Our experience extends to negotiated and hostile tender offers, leveraged buyouts and going private transactions. We also advise on split-offs, spin-offs and other significant recapitalizations. Our attorneys have been involved in some of the highest-profile transactions in the financial services, life sciences, information technology, defense and hospitality industries.

Patents & Trademarks

Our patents and trademarks practice is made up of legal and scientific professionals who provide strategic guidance to clients striving to build, maintain and protect patent portfolios, trademarks, trade secrets and other proprietary information. We offer all patent-related services, including strategic counseling and product life cycle IP strategy, portfolio reviews, patent searching, patent drafting and filing, patent prosecution (including interference practice), patent term extensions and regulatory exclusivity, due diligence reviews and opinions with regard to patentability, validity and non-infringement. We provide the full range of international patent services, including litigation, legal appeal and opposition proceedings.

Private Equity & Fund Formation

Heller Ehrman structures and organizes a variety of venture capital funds, private equity funds, hedge funds, commingled real estate funds and other pooled investment vehicles for general partners and investment managers throughout the world. Our attorneys are proficient in virtually any type of investment structure and are experienced in a range of underlying investments, including passive investments in private technology and life science companies, controlling stakes in public companies, distressed assets, mezzanine investments, real estate holdings, and publicly traded securities and derivatives. Our experience extends to complex economic structures such as hub-and-spoke funds, joint venture management companies, club deals and limited partner co-investments, multiple layers of debt and equity, tax-driven terms, and unusual subordination or inter-creditor issues.

Real Estate & Finance

Our attorneys have experience handling transactions in every region of the United States as well as Europe, Latin America, the Caribbean, Asia and the Middle East. We routinely structure, negotiate and document purchases, sales and financings across the full spectrum of real estate products, including urban office high-rise and mixed-use condominium projects, industrial and R&D developments, single and multi-family residential projects, destination resort hotels and luxury time share facilities.

Restructuring & Insolvency

We handle all aspects of complex bankruptcy, reorganizations and debt restructurings for various parties involved in bankruptcy proceedings, including institutional lenders, venture capital investors, creditor committees, debtors in possession, trustees, assignees for the benefit of creditors, and state and federal court receivers. We also represent parties in litigation related to bankruptcy cases, such as fraudulent conveyance and preference litigation. Our international presence in Asia, as well as our affiliations in Europe, has allowed us to guide clients through the often-inconsistent insolvency laws around the world.

Securities Litigation

For more than three decades, Heller Ehrman has achieved outstanding results on behalf of defendants in securities class actions, derivative suits, professional liability cases, SEC and other regulatory investigations, and white collar prosecutions. We represent corporations, officers, directors, accountants, venture capital firms, institutional investors, partnerships, lawyers and investment banks. Our experience includes highly specialized assignments in the corporate governance and securities arena, including special board committees, disputes over mergers and acquisitions, internal and regulatory investigations and proceedings, and advice to companies about complex disclosure and accounting issues. We have more than 70 senior attorneys across the country with deep experience in these areas. Our lawyers have represented major players in the highest profile matters, including Enron Corporation, AOL TimeWarner, Parmalat, Qwest Communications Corporation, McKesson Corporation HBOC, Healthsouth, Cisco Systems, Inc. and Cendant. We pride ourselves on our creativity and on the fact that we have argued for many of the most important developments in securities, corporate governance and professional liability law.

Tax

Our tax practice provides a full range of services in the areas of federal, state and local taxation. We handle tax matters for all types of taxpayers, including businesses in many industries that are organized as C and S corporations, partnerships, limited liability companies and real estate investment trusts. We advise clients in connection with a variety of tax matters, including mergers and acquisitions, corporate financing transactions, asset securitizations, joint ventures, real estate acquisitions and exchanges, and executive compensation issues. Our group is involved in transnational tax planning for foreign individuals and entities having interests in the United States, as well as for U.S.-based multinationals and individual entrepreneurs engaging in overseas business activities. Our employee benefits attorneys represent commercial employers and government and nonprofit organizations in their sponsorship of employee pension and welfare benefit plans, and also advise financial institutions that offer trustee and investment management services to employee benefit plans. Our state and local practice attorneys represent large multistate corporate taxpayers and high net worth individuals in state and local tax planning and controversy matters. They deal regularly with matters involving corporate franchise and income tax, personal income tax, taxation of partnerships and limited liability companies, sales and use tax, property tax, state employment taxes, local business taxes and miscellaneous special taxes.

Venture Law Group

Heller Ehrman Venture Law Group is one of the premier emerging technology practices in the country. With more than 100 attorneys in 12 cities throughout the United States and in Asia, we combine senior-level counseling and extensive industry knowledge to help emerging technology companies grow and prosper. We work in partnership with clients to build and represent deal-intensive emerging growth companies, both public and private, as well as with the venture capital and investment banking firms that support them.

Wealth Management

Heller Ehrman's Wealth Management attorneys provide premium estate planning services to the firm's individual clients. We assist families in transferring wealth to lower generations in ways that minimize complexity while also minimizing taxes on the family as a whole. We are especially adept in assisting entrepreneurs anticipating a liquidity event in the near future. Where a family has charitable inclinations, we facilitate charitable transfers and structure them for maximum tax savings. We also have extensive experience representing trustees, executors, and beneficiaries.

White Collar Criminal Defense

Heller Ehrman's white collar criminal defense team is a group of dedicated and skilled lawyers with the breadth and depth of experience to resolve the high-stakes problems that arise when a violation of law may have occurred in the U.S. or elsewhere in the world. We represent corporations, firms and individuals at every stage of these matters – from conducting or responding to internal investigations to fending off and defending charges by the government. Our practice is extremely diverse, and has included representations involving securities fraud, healthcare fraud, customs violations, money laundering, antitrust violations, corrupt payments (domestic and foreign), tax, environmental and many other alleged violations. We also have proven success in advising on foreign criminal and administrative investigations, and in handling the civil and administrative litigation that often accompanies domestic criminal investigations, such as *qui tam* cases, SEC investigations and civil securities fraud litigation.

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Robert Fram, Co-Chair of the Intellectual Property Litigation Practice Group, joined the firm in 1992 and concentrates in intellectual property litigation.

Experience: Mr. Fram has substantial experience litigating patent, trade secret, and licensing cases. Mr. Fram's trial experience includes proceedings in federal and state courts, including service as Special Assistant District Attorney, trying a series of criminal cases to the jury.

Education: Princeton University (A.B., *magna cum laude,* 1979); Phi Beta Kappa; Harvard Law School (J.D., *magna cum laude,* 1985); President, *Harvard Law Review*; Sears Prize.
Mr. Fram is a former law clerk to the Honorable J. Skelly Wright of the United States Court of Appeals for the District of Columbia Circuit.

Admissions: California; District of Columbia.

Recognition: Mr. Fram is consistently recognized as one of the leading IP litigators in the United States. He was selected to Woodward/White, Inc.'s 2006 list of *Best Lawyers in America* and voted one of Northern California's top "Super Lawyers" by *San Francisco Magazine*. He was also recognized in the 2004-2005 editions of *Chambers & Partners America's Leading Business Lawyers*.

Memberships: State Bar of California; Association of Business Trial Lawyers (President 2002, Northern California Chapter); American Intellectual Property Law Association.
Mr. Fram often speaks and writes on intellectual property subjects.

Representative Engagements:

Intellectual Property Litigation

- *Overture Services, Inc. v. Google Inc.*, Northern District of California, Case No. 02-01991 JSW (EDL). Heller Ehrman represented Yahoo! subsidiary Overture Services in a lawsuit alleging infringement of Overture's pioneering paid search patent. In a highly-publicized settlement, Google took a license to this patent and several related patents.

- *GlobespanVerata v. Texas Instruments, Inc.* The firm obtained a jury verdict of $112 million for Texas Instruments and Stanford University for infringement of patents involving high speed DSL modem technology.

- *Overture Services, Inc. v. FindWhat.com, Inc.*, C.D. Cal., Case No. SACV 03-00685 CJC (Ex). Heller Ehrman also represented Overture in a patent infringement lawsuit brought against FindWhat.com relating to Overture's paid search technology.

- *Computer Associates v. Simple.com, et al.* Heller Ehrman represents Computer Associates before the United States District Court for the Eastern District of New York in this patent infringement case relating to internet portal technology, in which Computer Associates seeks declaratory judgment of invalidity, unenforceability, and non-infringement.

- *Chan v. Intuit, Inc.*, United States District Court, Northern District of California, No. C 02 2878 VRW. The firm represented Symantec Corporation in a lawsuit alleging that their "Live Update" and web-based help software infringe a patent related to the distribution of information by a combination of CD-ROMs and the public Internet.

- *Pavilion Technologies, Inc. v. Computer Associates International, Inc.,* United States District Court, Western District of Texas, No. A-01CA-507-SS. The firm represented Computer Associates International, Inc. in a patent case involving artificial intelligence technology.

- *MCI, et al v. AT&T Corp.,* 97-CV-4453, Eastern District of Pennsylvania. The firm represented MCI in this patent infringement case involving computer telephony services.

- *Linear Technology Corporation v. Unitrode Corporation*, C98-1727 VRW, Northern District of California. The firm represented Unitrode Corporation, an affiliate of Texas Instruments, in this patent infringement case involving "sleep mode" and current reversal protection aspects of voltage regulators.

- *Altiris, Inc. v. Symantec Corporation,* 2:99 CV-1007ST, Central District of Utah. The firm represents Symantec Corporation in this patent infringement case involving technology for remotely controlling the boot process of a computer.

- *RSA Data Security, Inc. v. Cylink Corporation,* C96-20094 SW, Northern District of California. The firm represented RSA Data Security, Inc. in litigation involving patent and license rights to public key and related encryption software, technology that has become central to electronic commerce over the Internet.

- *Computer Sciences Corporation v. Computer Associates International, Inc.* CV981440 and 981374 WMB (SHx), Central District of California. The firm represented Computer Associates in an action where Computer Sciences Corporation alleged that Computer Associates misappropriated confidential financial information in connection with a $10 billion takeover attempt.

- *Informix Software, Inc. v. Oracle Corporation,* 9701-00568, Multnomah County Circuit Court (Oregon). The firm represented Informix Software, Inc. in this trade secret litigation regarding database server and middleware software.

- *Cylink v. Schnorr,* 95-2121 JR, United States District Court, District of Columbia. The firm represented a patentee in dismissing a lawsuit brought regarding his patent covering basic encryption technology, including the Digital Signature Standard.

- *RSA Data Security, Inc. v. Network Associates, Inc. and Pretty Good Privacy, Inc.,* 97-03755 MHP, Northern District of California. The firm represented RSA Data Security, Inc. in this case involving public key encryption technology.

- *Computer Associates v. Baan,* C94 20495 RMW (EAI), Northern District of California. The firm represented Computer Associates in this software licensing dispute regarding the rights to certain MRP/ERP software, as well as in the companion trade secret dispute in Santa Clara County Superior Court.

- *Computer Associates v. Software A.G.,* C97-0071D, Western District of Washington. The firm represented Computer Associates in this software license dispute with Software A.G. regarding the right to receive upgrades of the ADABAS database product.

- *Atmel Corporation v. SST,* C96-00039 SC, Northern District of California. The firm represented Atmel Corporation in this patent infringement action. The patents relate to circuits and memory cell designs for flash memory and EEPROMs.

State and Federal Court Commercial Litigation

- *Fujitsu Ltd. v. Cirrus Logic, Inc. and related actions,* C02-CV-01627 JW, Santa Clara Superior Court. The firm represented Fujitsu Ltd. in a large multi-party contract dispute concerning defective semiconductor chips sold to Fujitsu.

- *Oakland Raiders v. National Football League*, CV 756194, Superior Court, County of Santa Clara. Mr. Fram represented the National Football League (NFL) in this breach of contract and business tort brought by the Raiders.

MICHAEL M. MARKMAN

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Michael Markman joined the firm in 1997 and is a member of the Intellectual Property Litigation Practice Group.

Experience: Mr. Markman has a technology litigation practice, with a focus on patent, copyright, and trade secret litigation for clients in a range of industries. He also represents technology clients in complex commercial litigation and provides strategic intellectual property counseling. Mr. Markman has an active pro bono practice. He sits on the San Mateo County Legal Aid Society Board of Directors, is the pro bono coordinator for Heller Ehrman's Menlo Park office, and received the firm's Richard E. Guggenhime Pro Bono Award in 2003. Mr. Markman teaches a litigation skills course entitled "Pretrial Civil Litigation Practice" at the University of California, Berkeley, School of Law (Boalt Hall).

Education: University of California, Berkeley (B.A., Political Science and History, 1994 (with distinction); University of California, Hastings College of the Law (J.D., 1997); Editor in Chief, *Hastings Communications and Entertainment Law Journal* (1996-97).

Admissions: California. Admitted to practice before the United States Supreme Court, the United States Court of Appeals for the Ninth Circuit and the Federal Circuit, the Northern and Central Districts of California, and the Eastern District of Texas.

Memberships: State Bar of California; Executive Board of the California Democratic Party (2002-04); San Francisco Bay Area Intellectual Property Inn of Court.

Representative Engagements:

Patent Litigation

Zoltar Satellite Alarm Systems, Inc. v. LG Electronics, et al. (United States District Court, Eastern District of Texas): The firm represents Palm, Inc. in this patent infringement action relating to patents asserted against devices and services that permit calls to the "911" emergency number to be tracked using Global Positioning System (GPS) technology.

Zoltar Satellite Alarm Systems, Inc. v. Snaptrack, Inc. and QUALCOMM CORP. (United States District Court, Northern District of California): The firm represents SnapTrack and QUALCOMM in this patent infringement action. In 2004, a jury found the firm's clients not liable for infringement of six of the seven claims at issue, and the Court granted Defendants judgment as a matter of law of non-infringement as to the final claim.

Computer Associates v. Simple.com, et al. (United States District Court, Eastern District of New York): The firm represents Computer Associates in this declaratory judgment action involving three patents allegedly relating to internet portal technology.

Stambler v. RSA Security, et al., United States District Court, District of Delaware. The firm represented First Data Corporation in patent infringement litigation relating to patents asserted against secure payment systems enabling e-commerce transactions.

Pavilion Technologies, Inc. v. Pegasus Technologies, Inc. (United States District Court, Southern District of Texas): The firm represented Pegasus Technologies in the defense of this patent infringement case involving 26 neural net patents concerning cutting edge software technology and process controls.

Atmel Corp. v. Information Storage Devices, Inc. (United States District Court, Northern District of California): The firm represented Atmel in this patent infringement and trade secret misappropriation action involving the use of semiconductors in voice recording devices.

Copyright and Trade Secret Litigation

Cisco Systems, Inc., et al. v. Huawei Technologies Co., Ltd., et al. (United States District Court, Eastern District of Texas): The firm represented Huawei Technologies in this action relating to router technology, which involved claims for copyright infringement, trade secret misappropriation, infringement of five patents, violations of the Lanham Act and Texas state law, and counterclaims alleging unfair competition.

Wall Street Analytics, Inc .v. HELIOS Asset Management Co., LLC and PinnFund USA (United States District Court, Northern District of California): The firm represented Wall Street Analytics, the developer of sophisticated software tools for use in connection with securitizations and the analysis of complex financial transactions, in a copyright infringement and software license dispute against a real estate investment trust (REIT) and a mortgage lender.

CyberMedia, Inc. v. Symantec Corporation, et al. (United States District Court, Northern District of California): The firm represented Symantec in this copyright and trade secret dispute involving an uninstaller program for personal computers.

RSA Security v. Network Associates, Inc. and Trusted Information Systems (United States District Court, Northern District of California): The firm represented RSA in this copyright action involving public key encryption technology.

Appellate Practice

Santa Clara County Democratic Central Committee, et al. v. Principi, et al. (United States Court of Appeals for the Ninth Circuit): The firm represents the Santa Clara County Democratic Central Committee and its elected Chairman in its appeal of a First Amendment challenge to the enforcement of a Department of Veterans Affairs regulation being used to selectively bar voter registration by political parties at long term care facilities for veterans.

Capon v. Ladenberg Thalman Co., et al. (United States Court of Appeals for the Ninth Circuit): The firm represented Daniel Capon in successfully obtaining a decision relating to interpretation of the Federal Arbitration Act holding that a district court may dismiss an action rather than compel arbitration even when a motion to compel arbitration is pending.

In re Information Storage Devices, Inc. (United States Court of Appeals for the Federal Circuit): The firm represented Atmel Corp. in successfully opposing a writ of mandamus relating to a district court order compelling the alleged infringer to produce circuit schematics.

Complex Commercial Litigation

Maxygen, Inc. v. Enchira Biotechnology Corp. (American Arbitration Association and S.F. Superior Court): The firm represented Maxygen, Inc. in this case involving "gene shuffling." Retired U.S. District Court Judge Charles Renfrew issued an injunction against Enchira Biotechnology through 2017. Judge Renfrew also declared Maxygen to be the exclusive owner of the technology as against Enchira, and awarded Maxygen attorneys fees and costs.

Ionics, Inc. v. Tyco Electronics Corp. (United States District Court, Northern District of California): The firm represented Tyco Electronics in this declaratory judgment action involving counterclaims for breach of contract, brought in federal court on diversity grounds by an electronic components manufacturer based in the Philippines.

Snap! LLC v. TicketMaster Online – CitySearch, Inc. and CityAuction, Inc. (San Francisco Superior Court): The firm represented the defendants/cross-claimants in a case involving a web site cross-promotion agreement.

Pro Bono Practice

Ford v. Gabovich, et al. (San Mateo County Superior Court): The firm represents a senior citizen and alleged victim of a mortgage foreclosure specialist and others involved in a sale and lease-back transaction. The firm obtained a settlement returning title of the alleged victim's home, and is continuing to pursue further relief from the individuals who allegedly orchestrated the transaction.

Ingram v. Yeganeh and *Ingram v. Menlo Park* (San Mateo County Superior Court): The firm represented the victim of an alleged predatory lender. The firm also represented the victim against the City of Menlo Park, after police officers allegedly assisted the predatory lender in evicting the victim from her home. See the article Foreclosure Predator Steals Home But Pays the Price (below) for details regarding this engagement.

McConnell v. FEC (District of D.C.): Assisted team representing Senators John McCain and Russell Feingold and other sponsors successfully fending off 11 consolidated lawsuits challenging the McCain-Feingold campaign finance reform measure (the "Bipartisan Campaign Finance Reform Act ("BCRA")), before a three-judge district court in Washington, D.C. The U.S. Supreme Court subsequently affirmed the judgment of the three-judge panel.

Shays v. FEC (District of D.C.): Assisted team representing Congressmen Christopher Shays and Martin Meehan in their challenge of Federal Election Commission regulations implementing the provisions of BCRA. The district court struck down 15 of the 19 FEC regulations challenged by Representatives Shays and Meehan.

Publications:

Foreclosure Predator Steals Home But Pays the Price *San Francisco Daily Journal* - July 11, 2001

Patent Opinions, Privileges, and the Advice of Counsel Defense to Claims of Willful Patent Infringement: Litigation Counsel Caught in the Crossfire *19 Hastings Comm/Ent L.J. 949* - 1